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Attorney for Defendant
TROY URIE

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

TROY URIE,

Defendant.

CR. S-03-534 FCD

STIPULATION AND ORDER
TO CONTINUE BRIEFING
SCHEDULE; FINDING
OF EXCLUDABLE TIME

The United States of America, through Assistant U.S. Attorney Heiko Coppola, and defendant Troy Urie, through his counsel Scott L. Tedmon, hereby stipulate and agree as follows:

1. In this case, the Court has previously excluded time under the Speedy Trial Act through August 17, 2009 under 18 U.S.C. §3161(h)(7)(B)(ii) and (iv), [Local Code T2 and T4], complex case and counsel's need for time to prepare.

2. This case is complex in that the Indictment charges facts which involve multiple jurisdictions, some located across the United States. Additionally, there are legal issues involving alleged conduct in other federal jurisdictions which involve ongoing litigation. Specifically, defendant Urie is currently represented by attorney John Balazs in his appeal to the Ninth Circuit from his conviction arising out of the Northern District of California. The facts presented by the government in the Northern District conviction included conduct charged in this case. In reviewing both the Northern District and Eastern District cases with defendant Urie and attorney John Balazs,

1 the issue of collateral estoppel will need to be litigated in both the Ninth Circuit appeal and in the
2 case at bar. Counsel for defendant Urie needs additional time to research and prepare the motion.

3 The parties have agreed on the following proposed briefing schedule:

4 Defense motion due: August 10, 2009

5 Government response due: August 31, 2009

6 Defense reply due: September 7, 2009

7 Non-evidentiary hearing on motion: September 21, 2009 at 10:00 a.m.

8 In addition to this legal issue, the defense continues to conduct their investigation and
9 review of the case. Based on these factors, the parties stipulate that the Court's finding of
10 complexity and counsel's need for time to prepare pursuant to 18 U.S.C. § 3161(h)(7)(B)(ii) and (iv)
11 is appropriate.

12 3. The parties stipulate and agree that the Court should reiterate its previous finding that
13 time should be excluded under the Speedy Trial Act, pursuant to 18 U.S.C. §3161(h)(7)(B)(ii) and
14 (iv), [Local Code T2 and T4], and that the ends of justice therefore outweigh the best interest of the
15 public in a speedy trial.

16 4. Accordingly, it is hereby stipulated and the parties agree that time be excluded from
17 August 17, 2009 through September 21, 2009 under the Speedy Trial Act pursuant to 18 U.S.C.
18 §3161(h)(7)(B)(ii) and (iv), [Local Code T2 and T4], in that this case is complex, counsel for the
19 parties need time to prepare, and that the ends of justice outweigh the best interest of the public in
20 a speedy trial.

21 5. Michele Krueger has approved the requested court date.

22 6. Scott L. Tedmon has been authorized by the government's counsel to sign this stipulation
23 on his behalf.

24 **IT IS SO STIPULATED.**

25 DATED: July 8, 2009

LAWRENCE G. BROWN
Acting United States Attorney

/s/ Heiko Coppola
HEIKO COPPOLA
Assistant United States Attorney

1 DATED: July 8, 2009

LAW OFFICES OF SCOTT L. TEDMON

2 /s/ Scott L. Tedmon
3 SCOTT L. TEDMON
4 Attorney for Defendant Troy Urie
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6 **ORDER**

7 GOOD CAUSE APPEARING and based upon the above stipulation, the Court adopts the
8 briefing schedule on the issue of collateral estoppel and IT IS ORDERED:

9 Defense motion due: August 10, 2009

10 Government response due: August 31, 2009

11 **Defense reply due: September 8, 2009**

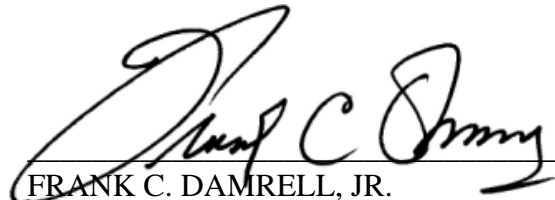
12 Non-evidentiary hearing on motion: September 21, 2009 at 10:00 a.m.

13 The Court reiterates its previous finding that time be excluded under the Speedy Trial Act
14 pursuant to 18 U.S.C. §3161(h)(7)(B)(ii) and (iv), [Local Code T2 and T4], in that the case is
15 complex, that counsel needs additional time to prepare, and that the ends of justice therefore
16 outweigh the best interest of the public in a speedy trial.

17 Accordingly, IT IS FURTHER ORDERED that pursuant to 18 U.S.C. §3161(h)(7)(B)(ii) and
18 (iv), [Local Code T2 and T4] the period from August 17, 2009, to and including September 21,
19 2009, is excluded from the time computations required by the Speedy Trial Act.

20 **IT IS SO ORDERED.**

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22 DATED: July 9, 2009

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24 FRANK C. DAMRELL, JR.
25 UNITED STATES DISTRICT JUDGE
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